

REMARKS

Claims 12-17 and 20-23 are pending in the application.

Claims 12-13, 17 and 20 are amended above to more clearly set forth what it is that the applicants regard as the invention.

No new matter has been added to the application by way of these specification and claim amendments.

The examiner's specification and claim rejections and objections are overcome or they are traversed as set forth below.

I. THE ANTICIPATION REJECTIONS

The examiner rejected claims 12-16 for being anticipated by Tanikita et al (USP 5,833,889). In addition, the examiner rejected claims 20-23 for being anticipated by Bowen (GB 227636A). The examiner's rejections are overcome as set forth below.

A. Claims 12-16 Are Not Anticipated By Tanikita

Independent claim 12 is amended above to clarify what it is that the Applicant regards and the invention. In particular, claim 12 is amended to indicate that the metal sheet of the trim piece is a "preshaped" metal sheet. (*See* page 11, lines 11-19)

Tanikita et al. does not disclose automobile parts including preshaped metal sheets. Instead, Tanikita et al. discloses automobile parts including a resin layer and a deposited metal layer. (Column 4, lines 16-18). Because the metal in Tanikita et al. is applied after the resin mold piece is removed from the mold, it is clear that the term "deposited metal" cannot be "preshaped". For at least this reason claims 12-16 are novel over Tanikita et al.

B. Claims 20-23 Are Novel Over Bowen

Claim 20 is amended above to define a trim level piece including one feature that is formed by the resin backing protruding through the insert through hole to form a resin feature and one feature that is formed out of the insert material. Amended claim 20 is not anticipated by Bowen at least because Bowen does not disclose an article that includes both types of claimed features. Withdrawal of the Bowen anticipation rejection of claims 20-23 is, therefore, warranted on these grounds.

II. TRAVERSE OF THE OBVIOUSNESS REJECTIONS

A. Claims 15 And 17 Are Not Obvious

The examiner rejected claims 15 and 17 for being obvious over Tanikita et al. in view of Sweeney. It is the examiner's position that Tanikita et al. discloses all of the features of claim 17 except for an adhesive located between the metal second surface and the resin. The examiner relies on Sweeney for providing this missing teaching. Regarding claim 15, the examiner takes that position that if Tanikita et al. does not disclose a glass filled nylon resin then the use of glass filled resin would be obvious from the express teaching of glass filled polyamide in Tanikita et al.

Claims 15 and 17 are not obvious because the examiner's combination of Tanikita et al. and Sweeney is without motivation or suggestion. Moreover, one of ordinary skill in the art viewing Tanikita et al. and Sweeney at the time of the invention would not be led to the claimed invention.

Tanikita et al. is directed to a process for producing an automobile part that is made by molding a plastic piece "a molded object" in the shape of the desired automobile decorative part and thereafter removing the article from the mold and depositing a thin metal layer on one surface of the molded object. Thus, in Tanikita et al. the molded object is an object having a homogenous resin or plastic composition. Sweeney on the other hand is directed to a method for preparing an automobile veneer that includes the step of applying a resin backing to a skin in a mold wherein an adhesion promoter can be used to enhance the bonding of the resin to the skin while in the mold.

One skilled in the art at the time of the invention would not be led to apply the adhesive

layer disclosed in Sweeney to the Tanikita et al. invention. This is because the Tanikita et al. plastic/metal substrate is not formed in a mold under heat. Instead, the article is formed outside of a mold by metal deposition techniques. Thus, there is no suggestion in the prior art that an adhesion layer has any utility in metal deposition process. The examiner's suggestion that a layer be added to the Tanikita et al. article is baseless when there is no suggestion that such a layer is necessary or that it would even be operable when applied to the Tanikita et al. invention. For at least this reason, claims 15 and 17 are nonobvious and patentable.

In addition, claim 17 is amended above to require the adhesive to be a hot melt adhesive. This amendment further distinguishes the claimed invention from Tanikita et al. and Sweeney in that there is no suggestion that the Tanikita et al. process works under conditions of high heat that would activate a hot melt adhesive. For this additional reason, claim 17 is nonobvious over Tanikita et al. and Sweeney.

B. Claims 12-17 Are Not Obvious

The examiner rejected claims 12-17 for being obvious over Sweeny in view of Grefenstein et al. and further in view of Luch. It is the examiner's position that Sweeny discloses all of the features of claims 12-17 except for (1) a resin layer having a thickness of no greater than 2.5 mm; (2) a resin including 10-30wt% glass fibers; or (3) a glass filled nylon resin. It is the examiner's position that Grefenstein et al. teaches a back molded polymer molding for use in the automotive sector using polymer films having thickness of 0.5 to 1 mm and a back molded fiber reinforced thermoplastic having a fiber content of from 5 to 30 wt % and a thickness of from 1.5 to 4.5 mm. It is the examiner's further position that Luch (USP 4,429,020) suggests the use of glass filled nylon resins in the claimed invention. The examiner's objection of claims 12-17 for obviousness is without merit.

Independent claims 12 and 17 are amended above to direct them to an article that includes a preshaped layer. None of the references cited by the examiner discloses or suggests the use of a preshaped layer to form an automobile trim level piece. For at least this reason, claims 12-17 are patentable over the recited prior art.

Claims 12-17 are also directed to an automobile trim piece including a preshaped "metal" sheet. None of the references cited by the examiner discloses the use of a preshaped metal sheet. In particular, Grefenstein et al. does not disclose an automobile piece including any type of a

metal layer. Instead, Grefenstein et al. discloses a piece that includes a polymer backcoating film back molded backed with a fiber reinforced plastic. Claims 12-17 are not obvious for this reason as well.

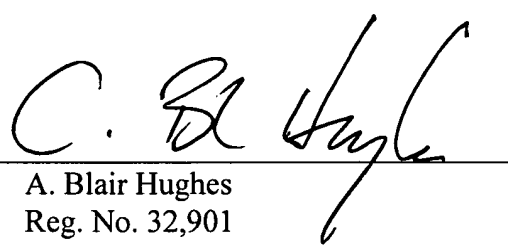
Claims 12-17 are also nonobvious over the prior art because the prior art does not disclose or suggest the automobile trim piece component thicknesses recited in the claims. Manufacturing problems faced by during the manufacture of automobile pieces including a backmolded film are vastly different from the manufacturing problems faced during the manufacture of a piece including a metal sheet having a decorative surface. Thus, the recitation of the Grefenstein et al. article thicknesses – e.g., the polymer film and resin backing thicknesses – do not render the dimensions of the thicknesses of the automobile trim piece of claims 12-17 obvious because the parts are manufactured of different material. Moreover, none of the cited references expressly discloses a metal sheet having the thickness recited in claims 12-17. For these reasons as well, claims 12-17b are nonobvious and patentable.

CONCLUSION

Claims 12-17 and 20-22 are amended above in a manner that are believed to render them patentable over the prior art. Favorable reconsideration and allowance of all pending application claims is, therefore, courteously solicited.

Date: October 30, 2006

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